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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/730,407	12/08/2003	Chun-Chung Huang	10113451	2476

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EXAMINER

NGUYEN, KIMNHUNG T

ART UNIT PAPER NUMBER

2629

DATE MAILED: 07/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/730,407	Applicant(s) HUANG, CHUN-CHUNG	
	Examiner Kimnhung Nguyen	Art Unit 2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3/26/04</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

This application has been examined. The claims 1-15 are pending. The examination results are as following.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-2, 6-9, 11-12 and 14 are rejected under 35 U.S.C. 102(e) as being anticipated by Liang (US 2004/0119692).

As to claim 1, Liang discloses in fig. 1A, a mouse pointing device structure (1), comprising: a main body (base 12); a cover (upper cover 11) disposed on the main body (12) and having an inherent transparent portion (because Liang discloses a cover 11 is transparent plastic and main body (12) are transparent plastic (see 0014), then connecting between the cover 11 and main body 12 should having an inherent transparent portion; a button device (see upper cover (11) having a button) disposed on the cover, wherein the transparent portion (inherent transparent portion as discussed) is located between the main body (12) and button device; and

an irradiation device (see light emitting diodes LEDs) disposed between the cover (11)

and

main body (12), wherein the light output from the

irradiation device is output to the outside of

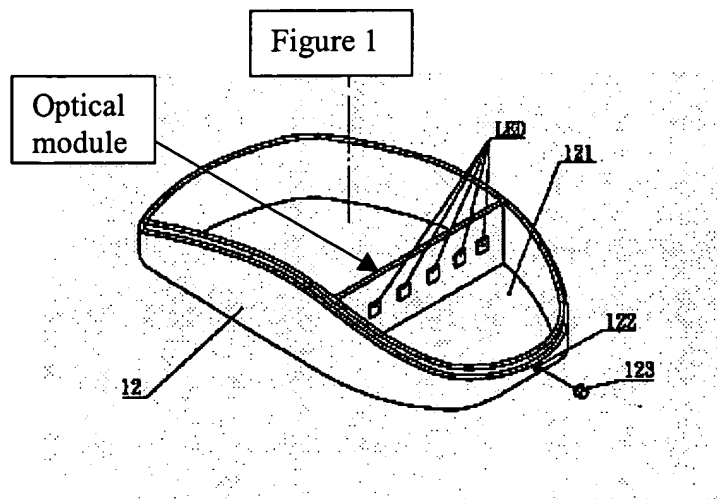
the mouse pointing device structure through the

transparent portion (see 0015).

As to claim 2, Liang discloses further, the mouse pointing device structure as claimed in claim 1, wherein the transparent portion is annular as discussed in claim 1 and embraces the main body and button device (because the transparent portion is connected between the cover (11) and body (12) and button device disposed on the cover therefore the transparent portion also embraces the button device).

As to claim 8, Liang discloses further, wherein the irradiation further comprising at least one second light-emitting element (because Liang discloses a plurality of LEDs, and we consider one of them is a second light-emitting element, see fig. 1), the light output from the second light-emitting element transmitted to the outside of the mouse pointing device structure through the transparent portion directly (because the cover and body of mouse are transparent, see 0014).

As to claim 9, Liang discloses further comprising an optical module in fig. 1, because Liang discloses the first and second LED and should disposed on the circuit board or on the substrate to connect to the body of mouse).



As to claim 11, Liang discloses further pointing device, wherein the second light-emitting element (LED) is disposed on the main body (see fig. 1)

As to claim 12, Liang discloses further, wherein the second light-emitting element is a light-emitting diode (see LED, fig. 1).

As to claim 14, Liang discloses further, wherein the cover is made of transparent plastic because Liang discloses the cover (11) and body (12) are combined as an integral body and so that the flowing decorations 15 are viewed from the transparent upper cover (11) and body (12, see 0014).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Liang (US 2004/0119692) in view of Hines (US 6,344,846).

Liang discloses the mouse pointing device as claimed in claim 1, wherein the irradiation device comprises a first light-emitting element as discussed above. However, Liang does not disclose an optical fiber, and the outer surface of the optical fiber formed with a plurality of notches to scatter the light therein out.

Hines discloses in fig.14, an optical retroreflective remote control having five light-emitting diodes (LED's 122a-122e) to optical fiber (136) for illumination of the associated mouse (see Hines, col. 15, lines 51-54), and the outer surface of the optical fiber (136) formed with a plurality of notches to scatter the light therein out.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the light-emitting diodes to optical fiber (136) for illumination of the associated mouse as taught by Hines into the mouse pointing device structure having the first and the second light-emitting element of Liang for producing the claimed invention because this would provide to the user the optical fiber which is encased in protective vinyl, to the right or left edges of the computer case so that the illumination is directed toward the associated mouse (See Hines, col. 15, lines 50-62).

5. Claims 7 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liang (2004/00119692) in view of Kattrinecz, Jr. et al. (US 6,773,128).

Liang discloses the mouse pointing device structure having the first and second are the light-emitting element as discussed above, however, he does not disclose the first or second light-emitting element is an electroluminescence lamp (EL).

Kattrinecz, Jr. et al. discloses in figs. 6A-6B, an illuminated mouse (655) is shown based on conventional mouse (605) or mouse button 611A/B are formed of EL lamps 667, 661A and 661B (first or second light emitting element) are mounted under their corresponding optically transmissive components (see col. 5, 22-24 and col. 6, lines 1-5).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the mouse are formed of EL lamps are mounted under their corresponding optically transmissive components as taught by Kattrinecz, Jr. et al. into the mouse pointing device structure having the first and second light-emitting element of Liang for producing the claimed invention because this would provide to the user the glass bulb or tube that emits light that produced by electricity as an incandescent lamp or fluorescent lamp.

6. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Liang (US 2004/0119692) in view of Nading et al. (US 6,369,800).

Liang discloses the mouse pointing device structure as claim 1, however, Liang does not disclose that wherein the button device is made of a reflective material. Nading et al. discloses in fig. 3, a keypad of an electronic device having a light reflective material is provided to enhance the illumination of the key 18A by the light source 22A (see col. 4, lines 8-11).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement a keypad of an electronic device having a light reflective material is

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provided to enhance the illumination of the key 18A as taught by Nading et al. into the mouse pointing device structure having button device of Liang for producing the claimed invention because this would provide to the user the transmitting the light to the keyboard through a guide to illuminate at part of the keypad, and generating a changed electrical state for the electronic device from a location in the light guide in response to operation of the key by the use (see Nading et al., see col. 2, lines 40-44).

Allowable Subject Matter

7. Claims 4-5 and 10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8. The following is a statement of reasons for the indication of allowable subject matter: The present invention is directed to a mouse pointing device structure comprising a main body, a cover disposed on the main body and having a transparent portion; a button device disposed on the cover, wherein the transparent portion is located between the main body and button device; and an irradiation device disposed between the cover and the main body and button. The combination of the closest prior art of Liang (US 2004/0119692) and Hines (US 6,344,846) show a similar invention, however, they fail to teach that wherein the bottom of the cover further comprises an annular groove, the optical fiber disposed in the annular groove, and the first light-emitting element disposed on the one end of the optical fiber to output light into the optical fiber as claims 4-5; or wherein the bottom of the cover further comprises at least one hollow light-

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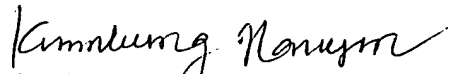
guiding cylinder, the second light-emitting element disposed in the hollow light-guiding cylinder
as claim 10.

Correspondence

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimnhung Nguyen whose telephone number is (571) 272-7698. The examiner can normally be reached on MON-FRI, FROM 8:30 AM-5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe can be reached on (571) 272-7691. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Kimnhung Nguyen
Patent Examiner
July 1, 2006